

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 33-69 are pending; Claims 33-64 are amended. Support for non-cosmetic changes to the claims is found in the originally filed claims and page 12, lines 1-20 and Figure 2. Therefore, no new matter is added.

In the outstanding Office Action, Claims 33-38, 56-66, and 68-69 were rejected under 35 U.S.C. § 103(a) over U.S. Patent No. 6,421,348 to Gaudet et al. (hereinafter Gaudet) in view of U.S. Patent Application No. 6,233,236 (hereinafter Nelson et al.). Claims 39-55 and 67 were indicated as reciting allowable subject matter.

Applicants acknowledge with appreciation the indication of allowable subject matter.

Claim 33 is directed to a monitoring device for a multichannel numeric switch. The monitoring device includes a probe unit coupled selectively to a connecting interface, configured to observe data between a physical layer and a logical layer. Additionally, the monitoring device includes a monitoring unit configured to analyze contents of at least part of data grids probed by the probe unit. Claim 33 is amended to recite that the monitoring unit is configured to generate and “output” a warning signal when the part analyzed does not meet a selected condition.

Turning to the applied art, Gaudet describes a data exchanger having a look up engine, bus interface, broadcast buffer, and an external memory.¹ The bus interface receives data stored in external memory and passes the header of the data to the look up engine in order to determine whether a routing table should be maintained.² The look up engine is

¹ See Gaudet at column 4, lines 25-50.

² See Gaudet at column 4, lines 25-32.

responsible for parsing the cell to determine whether a destination address field matches any of the devices connected to the ports of the data exchanger.³

Typically, a frame passed between data exchangers is divided into cells where the first cell in a frame indicates the destination address, and the last cell in a frame indicates an end of frame delimiter (EOF).⁴ Gaudet explains that each entry in the routing table includes a valid field, a destination field, and a source field. Initially the valid field is set to zero indicating that the entry is invalid.⁵ When the look up engine detects a cell having a destination address field that matches a device connected to one of its ports, the destination address is stored in a table entry and the valid field is set to one.⁶ When the look up engine detects that the cell includes an EOF, the look up engine invalidates the table entry.⁷

Claim 33 is distinguishable over Gaudet as the applied reference fails to disclose a monitoring unit configured to generate *and output* a warning signal. Gaudet merely describes that when an EOF is detected, the look up engine sets the status bit of a valid field to zero in a table entry or a routing table. Since the routing table is located *within* the look-up engine, invalidating the table entry is not *outputting* a warning signal. Furthermore, Gaudet neither discloses nor suggests that a warning signal is *outputted* when an EOF is detected.

Therefore, Applicants respectfully submit that Gaudet fails to disclose or suggest a monitoring unit configured to generate and output a warning signal. As Nelson does not cure the deficiency discussed above, Applicants respectfully submit that Gaudet and Nelson fail to disclose all the limitations of Claim 33. Accordingly, Applicants respectfully request that the rejection of Claim 33, and claims depending therefrom, under 35 U.S.C. § 103(a) be withdrawn.

³ See Gaudet at column 5, lines 7-12.

⁴ See Gaudet at column 5, lines 49-56.

⁵ See Gaudet at column 6, lines 26-31.

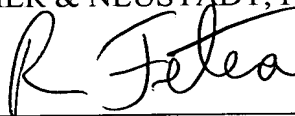
⁶ See Gaudet at column 6, lines 36-41.

⁷ See Gaudet at column 6, lines 25-50.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the present invention patentably distinguishes over the applied references. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of this application is therefore requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Gregory J. Maier
Attorney of Record
Registration No. 25,599

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 03/06)

Remus F. Fetea
Registration No. 59,140